

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK**

\*\*\*\*\*

**UNITED STATES OF AMERICA**

**Criminal Action No.  
06-MJ-390 (GHL)**

**v.**

**COLIN CHILBERT,**

**Defendant.**

\*\*\*\*\*

**ORDER FOR DISMISSAL**

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure and by leave of court endorsed hereon, the United States Attorney for the Northern District of New York hereby dismisses the criminal complaint, 06-MJ-390, against defendant Colin Chilbert only.

The reason(s) for this dismissal are (check one or more):

☐ Case transferred to another District

☐ Speedy Trial Act

☐ Defendant's cooperation

☐ Insufficient evidence at this time

☒ Other: The defendant has successfully completed a one-year term of pre-trial diversion. He has paid restitution in full, has completed 100 hours of community service, has fully

complied with all other terms and conditions of his supervision, including reporting as directed, and submitting to drug testing. All of the defendant's drug tests were negative. In addition, he both attended college and worked part time during the diversionary period. Accordingly, pursuant to a written agreement between the parties, as the defendant has successfully met all of his obligations, the Government moves to dismiss the charges contained in criminal complaint 06-MJ-390 as against defendant Chilbert.

With respect to this dismissal, defendant (check one):

X Consents

    Objects

    Has not been consulted

This dismissal is without prejudice.


ANDREW T. BAXTER  
Acting United States Attorney



By: Lisa M. Fletcher  
Assistant U.S. Attorney  
Bar Roll No. 510187

Leave of court is granted for the filing of the foregoing dismissal.

Dated: January 26, 2009  
Syracuse, New York

  
Hon. David E. Peebles  
United States Magistrate Judge